

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In Re: LATAM AIRLINES GROUP S.A.,

Debtor,

22 Civ. 5660 (DLC)

AD HOC GROUP OF UNSECURED  
CLAIMANTS, et al.,

Appellant,

-v-

LATAM AIRLINES GROUP S.A., et al.,

Appellees.

**SUPPLEMENTAL BRIEF OF THE OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS AS INTERVENOR**

The Official Committee of Unsecured Creditors (the “Committee”) of LATAM Airlines Group S.A. (“LATAM Parent”) and its affiliated debtors (collectively, the “Debtors”), by and through its undersigned counsel, hereby submits this supplemental brief in the above-captioned appeal. By order of the Court entered on July 13, 2022 endorsing the *Unopposed Motion to Allow Proposed Intervenors to Intervene* [Dkt. No. 31], the Committee is an intervenor in the appeal under Bankruptcy Rule 8013. In accordance with the Court’s order, and recognizing the Committee’s particular statutory role and responsibilities, the Committee is authorized to file its own short supplemental brief.

This appeal arises out of the Debtors’ Chapter 11 bankruptcy cases. Under section 1103 of the Bankruptcy Code, the Committee is authorized to participate in the administration of the Debtors’ cases, and, in particular, to participate in the formulation of the Debtors’ Chapter 11 plan of reorganization (the “Plan”). *See* 11 U.S.C. § 1103 (describing the powers and duties of a committee). The Committee acts as a statutory fiduciary on behalf of the Debtors’ unsecured creditors and is obligated to exercise its powers and responsibilities to protect the interests of its constituents. *See* 7 COLLIER ON BANKRUPTCY P 1103.05 (16th 2022); *In re SPM Mfg. Corp.*, 984 F.2d 1305, 1315 (1st Cir. 1993)). Under section 1109(b), the Committee is authorized to raise and appear and be heard on any issue in a Chapter 11 case. 11 U.S.C. § 1109(b).

The Committee previously filed an objection to the Debtors’ Plan (the “Objection”). *See Objection of the Official Committee of Unsecured Creditors to Confirmation of the Debtors’ Sixth Revised Joint Plan of Reorganization of LATAM Airlines Group S.A. et al. Under Chapter 11 of the Bankruptcy Code* [ECF No. 5195]. After filing its Objection, the Committee achieved a settlement with the Debtors and other parties in these cases and agreed to withdraw its Objection and to support the Debtors’ Plan (the “Settlement”). *See Notice of Filing of Fifth Amendment to Restructuring Support Agreement* [ECF No. 5370] (summarizing the terms of the Committee’s settlement with the Debtors).

In accordance with the terms of the Settlement, the Committee remains supportive of the Debtors' Plan and supports affirmance of the Bankruptcy Court's order confirming it. The Committee also supports the expeditious resolution of this appeal.

Dated: July 29, 2022  
New York, NY

Respectfully submitted,

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**CERTIFICATION UNDER BANKRUPTCY RULE 8015(H)**

This document complies with the word limit of Federal Rule of Bankruptcy Procedure 8015(a)(7)(B) because, excluding the parts of the document exempted by Fed. R. Bankr. P. 8015(g), this document contains 378 words.